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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/721,207	11/25/2003	Seichi Kawano	JP920000184US4	5504
53493	7590	05/14/2008		
LENOVO (US) IP Law 1009 Think Place Building One, 4th Floor 4B6 Morrisville, NC 27560			EXAMINER VU, JIMMY T	
			ART UNIT 2821	PAPER NUMBER
			MAIL DATE 05/14/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/721,207

Applicant(s)

KAWANO, SEIICHI

Examiner

JIMMY T. VU

Art Unit

2821

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 January 2008.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 2, 4 and 5 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1, 2, 4 and 5 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

Applicant argues:

Wagner does not teach:

a) calculating a display brightness within a specific area displayed on a screen of said display unit, wherein the screen comprises a plurality of areas.

b) controlling said display unit so as to change a screen brightness of the whole screen according to said calculated display brightness within said specific first area.

Examiner disagrees:

a) Wagner teaches the step of calculating a display brightness [computer calculate the brightness base on the information that user selects on the screen in Fig. 7, referred to col. 11, lines 27-30] within a specific first area [Fig. 7 shows a specific first area at right side of the screen (or Pattern Selection area)] displayed on a screen (Figs. 7 and 8) of said display unit, wherein the screen comprises a plurality of areas (Figs. 7 and 8 shown that there are several areas displayed on the screen).

b) Wagner teaches that controlling said display unit [using of the brightness control software (30) and brightness control (34) in Fig. 2] so as to change a screen brightness of the whole screen [the screen brightness is inherently change for the whole screen when being adjusted] according to said calculated display brightness within said specific first area. To be more specific, Figs. 7 and 8 of Wagner shown that controlling

the brightness of the whole screen has to be based on the selecting/calculating/adjusting/controlling the brightness of the selected pattern as well.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 and 4 are rejected under 35 U.S.C. 102(b) as being anticipated by Wagner (U.S. Patent number 5,933,130).

For the purpose of rejection, the phrase "a specific first area" is considered as any area of the screen (i.e. "Pattern Selection" area on the screen as in Fig. 7).

Regarding claims 1 and 4, Wagner discloses a computer-readable medium [a medium displayed on the screen in Fig. 7] containing programming instructions ["Pattern Selection" Fig. 7] and method for controlling brightness from a display unit [display unit in Figs. 1-8 and 11-13], the programming instructions comprising:

calculating a display brightness [computer calculate the brightness base on the information that user selects on the screen in Fig. 7, referred to col. 11, lines 27-30] within a specific first area [Fig. 7 shows a specific area at right side of the screen (or "Pattern Selection" area)] displayed on a screen (Figs. 7 and 8) of said display unit, wherein the screen comprises a plurality of areas (Figs. 7 and 8 shown that there are several areas displayed on the screen); and

controlling said display unit [using of the brightness control software (30) and brightness control (34) in Fig. 2] so as to change a screen brightness of the whole screen [the screen brightness is inherently change for the whole screen when being adjusted] according to said calculated display brightness within said specific first area.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wagner (U.S. Patent 6,091,397) in view of Lee (U.S. Patent 6,091,397).

Regarding claims 2 and 5, Wagner discloses a computer-readable medium [a medium displayed on the screen in Fig. 7] containing programming instructions ["Pattern Selection" Fig. 7] comprises all the limitations except a power management function for controlling said display unit so as to change said screen brightness of said display unit. However, Lee discloses a power management function for controlling said display unit (using Display Power Management System DPMS) (Fig. 10, col. 12, lines 30-34, lines 58-66). Therefore, it would have been obvious to one having skill in the art at the time of the invention was made to provide the programming instructions of Wagner with the display power management system (DPMS) as taught by Lee in order to reduce power consumption in the display monitor.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jimmy T Vu whose telephone number is (571) 272-1832. The examiner can normally be reached on M - F: 9 - 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Douglas Owens can be reached on (571) 272-1662. The fax phone numbers for the organization where this application or proceeding is assigned are (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2800.

Art Unit: 2821

Jimmy Vu

May 06, 2008

/Douglas W Owens/

Supervisory Patent Examiner, Art Unit 2821

May 9, 2008